



**CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA**

Av. Pres. Wilson, 147 – Centro
Rio de Janeiro – RJ – 20030-020

<http://brazil.usembassy.gov>

www.travel.state.gov

K3/K4 VISA APPLICANTS INSTRUCTIONS PACKAGE

Introduction

These instructions are for spouse visa (K3) applicants and their dependents (K4) who have had the I-129F petition already approved in the United States and sent to the Visa Immigrant Unit at the United States Consulate General Rio de Janeiro.

If you already have an interview appointment scheduled at the Immigrant Visa Unit and have not yet received by mail the list with all the required documents, please follow the instructions below. All members of your family that will immigrate with you (dependents that are eligible to be included in this process) must come to the interview. If you cannot keep this appointment, please, notify our office immediately. Please see our [Contact Information and Working Hours](#) page.

Note: All the interviews for K3/K4 visas are conducted exclusively at the U.S. Consulate General in Rio de Janeiro.

You must obtain all the documents listed below that are required for your application and bring them on the day of the interview. Please, **Do not** mail any of the documents to the consulate.

**Application for Immigrant Visa and Alien Registration Form 230 Part-1
and Online Application Form DS-160**

Background

The required forms contain questions regarding specific biographical information necessary for K3/K4 visas.

**Who Completes
the Forms**

Each family member that is eligible to travel to the United States with you under this visa classification is required to complete the [DS-230 Part-1](#) and the DS-160. This would include any unmarried children under the age of 21. Please, fill out the [DS-230 Part-1](#) completely. If a question does not apply to you then you must mark it with a N/A (not applicable).

The form DS-160 is a web based form and you will have to access the [CEAC](#) (Consular Electronic Application Center) web page to fill out this form. To fill out the DS-160 form electronically you should have internet access. It has to be filled out in English. It is not necessary to print the form itself; you should only print the barcode page which is the confirmation page.

**Completing the
Online Form
DS-160**

The DS-160 is web-based, and when completed, transmits the applicant's information to the post where he/ she will be interviewed. Since the data is collected electronically, we can conduct several types of advanced processing and triage, reducing delays. This also means that applicants who request visas frequently can save their original application and simply submit the updated form.

The form DS-160 can be accessed at the location: <https://ceac.state.gov/genniv/>.

Before accessing the DS-160, please take note of the following:

Write down the application ID displayed on the top right-hand corner of the page. If you need to close the browser before submitting your application, you will need this application ID to continue your application. The DS-160 site may also suffer intermittent connectivity issues. Please save your work frequently.

The form should be completed in English.

- As you complete the form, review your answers, and save a copy to your hard-drive, CD or pen-drive and save frequently.
- If you are asked if you "attended any educational institutions beyond elementary school," you should list all the educational institutions you attended from the age of 11;
- Please provide correct and complete responses to all the questions, especially in the "Name and Surname", "Date of Birth", "Gender", "Other Names Used," and "Type of Visa" fields. You will have a chance to review the information before submitting your form electronically. If you do not fill the form correctly, your application may not be accepted.
- If you are unable to submit your application, the data will not be transmitted to the United States Consulate General in Rio de Janeiro;
- Select the correct location where you will apply for your visa. Please note that, in Brazil, K3/K4 visas are "only" processed at the Consulate General in Rio de Janeiro. The information will be sent electronically to the selected location when you submit the application online;
- Select the correct visa category in "Purpose of Travel to the United States" - a list will appear in response to the question "Are you the primary applicant?";
- If you do not yet know the address where you will be staying in the US, do not leave the field blank. When asked, type N/A (not applicable).
- It is not necessary to print the form itself; you should "only print the barcode page" which is the confirmation page. Bring your confirmation page along with a 5x5 cm or 5X7 cm photo to the interview and all the other required documents.

Required Documents

General Instructions

Please obtain the **original documents (along with one simple copy)** or **certified copies** from an appropriate authority for yourself and each family member who will accompany you to the United States. All documents listed in these instructions that pertain to your petition are required again, even if they were previously submitted to the USCIS with your petition. You must bring all documents on the day of the interview.

Marriage Certificates

Applicants must obtain an original marriage certificate (civil marriage), or a certified copy, bearing the appropriate seal or stamp of the issuing authority.

Termination of Prior Marriages

Applicants who have been previously married must obtain evidence of the termination of **EACH** prior marriage. Evidence must be in the form of original documents issued by a competent authority, or certified copies bearing the appropriate seal or stamp of the issuing authority.

Acceptable evidence is a:

- **FINAL** Divorce Decree;
- Death Certificate or
- Annulment.

Note: If your American fiancée has already been married before, please provide an original and a simple copy of the evidence of the termination of each of his/her prior marriage, as well.

Police Certificates

Police certificates are required for each visa applicant aged 16 years or older. The table below shows how many police certificates are required based on where each applicant lives and has lived previously. Present and former residents of the United States should NOT obtain any police certificates covering their residence in the U.S.

Note: You may need police certificates from several different countries/localities. Be sure to obtain all of them prior to the interview.

IF the applicant...	AND...	THEN the applicant needs a police certificate from...
is living in their country of nationality at their current residence for more than 6 months	is 16 years old or older	the police authorities of that locality.

lived in a different part of their country of nationality for more than 6 months	was 16 years or older at that time	the police authorities of that locality.
lived in a different country for more than 12 months or currently resides in another country for more than 6 months	was 16 years or older at that time	the police authorities of that locality.
was arrested for any reason, regardless of how long they lived there	was any age at that time	the police authorities of that locality.

Police Certificates in Brazil:

In Brazil, police certificates are issued only for applicants over the age of 18 (eighteen). Each applicant, 18 years old or more should present two Police Certificates: one from the State police - **“Secretaria de Segurança Pública”** and another one from the Federal Police – **“Polícia Federal”**.

- **"Secretaria de Segurança Pública"** - It is required that the applicant obtain a certificate from the “Polícia Técnico Científica”, “Instituto de Identificação” from each state in Brazil where the applicant has resided for 6 (six) months or longer for the last 5 (five) years. If you have resided in more than one state in Brazil, during this period, you will need one for each state.
- **"Polícia Federal"** - It is required that the applicant obtain a certificate from the Federal Police (“Polícia Federal”). This certificate is valid for all Brazilian territory. You should access www.dpf.gov.br to request this document. You should only refer to Departamento de Polícia Federal, Delopis – Delegacia de Ordem Social e Política” in case you are not able to get the certificate on-line.

Notes:

- Federal and state police certificates issued online are accepted.
- Police certificates from certain countries are unavailable. Others must be requested in person and the U.S. Consulate must request others. More specific information is available from the Immigrant Visa Unit at the United States Consulate in Rio de Janeiro.
- The certificates issued by “Cartório” or “Fórum” are **NOT**, repeat, NOT acceptable, in any circumstances.
- The police certificate must:
 - Cover the entire period of the applicant’s residence in that area, and
 - State what the appropriate police authorities records show concerning each applicant, including all arrests, the reason for the arrest(s), and the disposition of each case of which there is a record.

Passports

A passport must be valid for travel to the United States and must have at least 8 (eight) months' validity beyond the issuance date of the immigrant visa. Children also need to have their own passport.

Note:

- Please bring **all** previous passports, even the ones already expired or cancelled;
 - If you have passports from other nationalities, you must bring them, as well;
 - If you are not a native Brazilian, you must bring evidence of your Brazilian naturalization certificate, permanent or temporary residency in Brazil.
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Deportation or Voluntarily Removal and Asylum

If you had any previous problems with the Department of Homeland Security (USCIS), or you have filed for Asylum, you must bring the official reports on the day of your interview.

Applicants who have previously been deported or removed at government expense from the United States within the last years must obtain Form I-212, Permission to Reapply after Deportation, from the U.S. Department of Homeland Security, or from a U.S. Embassy or Consulate, and follow the instructions included on that form. USCIS must previously approve form I-212 before you can receive the fiancé (e) visa.

Court and Prison Records

Persons who have been convicted or discharged of a crime must obtain a certified copy of each court record and any prison record, regardless of the fact that he or she may have subsequently benefited from an amnesty, pardon or other act of clemency, including processes in the U.S.

Court records should include:

- Complete information regarding the circumstance surrounding the crime of which the applicant was convicted, and
 - The disposition of the case, including sentence or other penalty or fine imposed.
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Applicants with Previous J1/J2 Visas

If you have been a student in the U.S. under a J-1 visa or a dependent under J-2 visa you may be subject to Section 212(e) of the Immigration and Nationality Act. That means that you must be required to return for a two-year period to your native country or country of residence. If you wish to return sooner than that to the United States to reside permanently, first, you have to request an authorization from the Brazilian Government and then you may request a waiver from the United States Government. These authorizations need to be granted prior to receiving an immigrant visa to the United States. More information on this subject is available on the [USCIS webpage](#).

Translations

All documents neither in English nor in Portuguese must be accompanied by **certified English translations** done by a certified translator.

The translation must include a statement signed by the translator that states that the:

- Translation is accurate,
 - Translator is competent to translate and
 - The translation must be notarized.
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Medical Examination

In order to be eligible for an immigrant visa, you and your accompanying relatives included in the process must undergo a medical examination. It is necessary to conduct blood tests, a chest x-ray, vaccinations and a physical exam (including basic gynecological and breast examination). Referenced [Panel Physicians](#) are listed on our website.

Photographs

General Information

One photo is required of all applicants regardless of age. The photograph should have applicant's name lightly printed on the reverse side. Scanned pictures are not accepted.

Photograph Specifications

One (1) color photograph with white background on glossy paper is required. The picture must not be retouched or mounted. The photograph must be a frontal picture, **with both ears visible**. No head covering or glasses should be worn except for religious purposes. Photo must be 5cmx5cm or 5cmx7cm, head centered.

The photograph must have been **taken in the last 6 months**; the photo cannot have frames; a full-face view is necessary. Applicant must be looking at the camera when the picture is taken, and not looking down or to one side. The face must cover 50% of the picture; face must measure 3 cm from chin to top of hair; you must present color picture with white background. No other background is acceptable.

Evidence of Support

General Requirements

You must submit evidence showing that you and members of your family who will accompany you are not likely to become public charges while in the U.S. If you are going to use Affidavits of Support or job offer letters make sure they were issued and signed within one year.

K3 Affidavits

You may present your own means of support or the petitioner may fill out an Affidavit of Support, [Form I-134](#). You may download this form from [USCIS webpage](#). The sponsor must attach proof of his/her income such as: copy of last U.S. Federal Income Tax (form 1040), proof of current employment, job offer, pay-slip, etc. One form is sufficient for all family members.

Evidence of Relationship

General Requirements

You must submit evidence of relationship with your American spouse. Proof of relationship may be any document that you think will prove to the consular officer that you have a real relationship with your spouse such as visas to Brazil or United States, air tickets, phone bills, photos, correspondence or e-mails exchanged, etc.

Children Who are About to Reach 21 Years of Age

Important Information

If you have children who intend to immigrate with you to the United States, or to join you in the United States at a later date, please read this important information.

In order to receive the K4 visa or to follow you after your K3 visa issuance, your children **must be unmarried and under the age of 21 at the time they enter the United States.**

Who to Notify

If any of your children will turn 21 within 90 days, please **notify** the Immigrant Visa Unit at the United States Consulate General in Rio de Janeiro, **immediately**. Please see our [Contact Information and Working Hours](#) in our website.

Note: We will process your visa as quickly as possible so that we can issue a visa to your child on the same day we issue yours. Your child must enter the United States within the validity of the visa, you must get married to your fiancé (e), you must file for adjustment of status and adjust your child's status before he turns 21. If that is not possible, your child will only be able to remain in the United States during the period authorized by the USCIS Officer at port of entry.

Failure to Notify

Failure to notify the United States Consulate in Rio de Janeiro that you have a child, who will turn 21, could result in that child being above the legal age at the time your visa is issued. In that event, you will be required to file a separate petition for your child after you immigrate, and your son or daughter will face a waiting period before he or she will be eligible for visa processing.

What Happens Next?

Overview

The information below provides you with an overview of the steps that take place once you have obtained all your documents and have completed the necessary forms.

Important! Bringing your Documents

It is totally indispensable to have a valid passport for at least 8 months, the DS-230 part-1, the electronic DS-160 confirmation page (with barcode), the visa fee, one photograph and, all your original documents or certified copies (and a common copy) on the day of your interview. Otherwise you are going to be rescheduled for the next available day.

Fee

Access [Schedule of Fees](#) and check the total amount for K3/K4 visa. **The payment must be done only in Dollars or the equivalent in Reais in cash and is only payable at the Consulate cashier.** No checks are accepted. Each applicant must be prepared to pay this fee. Each dependent must also pay the fee, regardless of age.

Digital Fingerprints

All applicants will be fingerprinted except those in the following categories:

- Children under 14 years old;
 - Adults over 79 years old.
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Interview

We cannot guarantee, before your documents are seen by the Consul, that your visa will be approved and issued. Only after your interview the Consul will be able to make that decision. **We do not encourage you to make any final travel arrangements, sell your properties or quit your job before your visa is issued.**

This Office will do its best to process your visa as soon as possible but you will most likely have to spend the entire morning and part of the afternoon in this Office until the Consul can make a final decision on your request. If any problem is detected, it is possible that you may have to return to this Office again.

You must use a delivery service that has a partnership with the consulate to return your visa after issued. Upon the approval of your visa you will receive instructions on how to contract this service. **This service is mandatory.** The consulate will not be responsible for losses or damages that may occur to the correspondence, nor any tracking system. If the correspondence gets lost, you would have to prepare all the documents again in order to receive another visa.

Visa

The visa is good for 24 (twenty four months) with multiple entries after the issuance. Make sure you enter the U.S. within the visa validity. Upon entrance in the U.S. you must wait for the approval of your I-130 petition by the Department of Homeland Security – DHS (www.uscis.gov). After the approval of your petition, you and your spouse must contact the nearest Department of Homeland Security office to adjust your status in the USA, this means to change from a K3 visa to IR-1/CR-1 visa holder and have your Alien Resident Card issued. Once in the USA, you must contact the Social Security Service to obtain your card and authorization to work (www.ssa.gov).

Contact information

Please notify the United States Consulate if the circumstances of your application have changed. For example:

- Change of address;
- Change of marital status;
- Death of petitioner, or
- Birth or adoption of additional children.

Please see our [Contact Information and Working Hours](#) page.

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